

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –T & A Dept. – Allegations of corruption against the officials of Sub-Treasury, Narsapur, Medak Dist. – Surprise check conducted by ACB on 31-3-2003 – Disciplinary action against Sri D. Sudhakar, Sr. Accountant. – Punishment of stoppage of one annual grade increment with cumulative effect – Awarded – Appeal petition – Rejected – Review petition – Punishment set aside – Orders - Issued

FINANCE (Admn.III) DEPARTMENT

G.O. Rt. No. 4442

Dt.:19 -12-2009

Read the following:

1. D.T.A., Hyderabad Procs. No.K(I)1/6466/2003, dt. 1-11-2006.
2. Appeal petition of Sri Mohd. Nayeem Ali, Sr. Accountant dt. 15-2-2007.
3. Govt. memo. No. 4499/117/A1/Admn.III/2007, dt. 28-2-2008
Finance (Admn.III) Dept.
4. Review petition of Sri Mohd. Nayeem Ali, Sr. Accountant dt. 25-10-2008.
5. Representation of Joint Action Committee of Employees, Teachers
And Workers, A.P., Hyderabad dt. 22-11-2008.

ORDER:

During the surprise check conducted by ACB on the Office of the Sub-Treasury, Narsapur, Medak Dist. on 31-3-2003 certain lapses/irregularities were noticed on the part of Sri D. Sudhakar, Sr. Accountant along three others and disciplinary action has been initiated against them. The following charges have been framed against Sri D. Sudhakar, Sr. Accountant.

Charge-I:

“That Sri D. Sudhakar Rao, s/o. Venkateswara Rao, joined Government service on 24-1-1983 and while functioning as Senior Accountant, O/o. the Sub-Treasury, Narsapur, Medak Dist. during the period between 11-2-2003 to 31-3-2003 committed grave misconduct, that is on 31-3-2003 he has not put his signature in the attendance register though he was attended the office.”

Charge-II:

“That Sri D. Sudhakar Rao, while functioning as Senior accountant, Sub-Treasury, Narsapur, Medak Dist. during the period between 11-2-2003 to 31-3-2003 has committed grave misconduct, that on 31-3-2003 he was found in possession of excess amount of Rs.2,110/- than the declared cash of Rs.200/- in the personal cash declaration register.

Charge-III:

“That Sri D. Sudhakar Rao, while working as Senior accountant, Sub-treasury, Narsapur, Medak District during the period between 11-2-2003 to 31-3-2003 has failed to maintain personal register and failed to maintain absolute integrity in violation of provisions of APCS (Conduct) Rules, 1964.

2. A regular Enquiry has been conducted, wherein Charge-I and III were not proved and Charge-II is partially proved.

3. The disciplinary authority has not accepted with the findings of the Enquiry Officer in respect of Charge-I and II and disagreed with the findings of Enquiry Officer and after following due procedure, the D.T.A., Hyderabad has imposed the punishment of stoppage of one annual grade increment without cumulative effect on Sri D. Sudhakar, Sr. Accountant., vide reference 1st cited.

4. Against the said punishment the individual has preferred Appeal petition vide reference 2nd cited and Government have rejected his Appeal petition vide reference 3rd cited.

5. Sri D. Sudhakar, Sr. Accountant in the reference 4th cited have submitted his Review petition wherein it is stated that he signed the Attendance Register and the charge of maintenance of personal registers is not a clear charge relevant to him. He also given the true account of excess amount of Rs.2,110/-which is in his possession means to pay the same to his friend borrowed for smooth functioning of office and he actually received that already paid contingent bill i.e., Telephone Bill for Rs.1287/- and Electricity Bill of Rs.1212/- totaling to Rs.2499/-on 29-3-2003 and paid earlier borrowing the amount from

his friend and kept with him to pay the said amount to his friend but he could not hand over the same to his friend as he totally crippled and handicapped person waiting for him to collect that amount from him. The same amount which is in his possession on 31-3-2003 at the time of surprise check of ACB was treated as excess amount found and suspected as illegal amount even though relevant records were produced at that time and the disciplinary authority has awarded the punishment of stoppage of one increment with cumulative effect even though he has given the true account of the amount in his possession and the circumstances in which he possessed the amount. It is a sin on his part to pay the office telephone and Electricity bill borrowing the amount from his friend with a good intention to avoid the disconnection of essential services for smooth functioning of the office run by Computers. He also stated that Govt. vide G.O.Ms.No.200, G.A. (Ser.C) Dept., dt. 26-3-2007 and also Finance (Admn.I) Dept., Memo. No. 830/56/A1/Admn.I/03, dt. 30-4-2007 have reissued the orders regarding Declaration of Personal Cash in personal cash declaration register by all the Government employees who are dealing with cash. He submitted that they are not cash dealing employees and he is victimized in the absence of these clear justified orders as on 31-3-2003 at the time of surprise check. He also stated that the stand taken by the DTA in deviation of the Enquiry findings is not in tune to the Natural Justice and a harsh punishment to a crippled and handicapped person who is already cursed by the God and Nature. The punishment orders are also not in lieu of the true spirit of the G.O.Ms.No.200. Different spells of punishment was awarded to the employees involved in this case in which major punishment was awarded to him by imposing stoppage of increment with cumulative effect and others were awarded without cumulative effect even though having same charges. He also relied upon the similar case pertaining to the employees of Pay and Accounts Office, Hyderabad and Sri N. Narahari Reddy, Physically handicapped then STO Narsapur who has been held same charge for having possession of excess amount was exonerated by the Government keeping in view of the contents having in G.O.Ms.No.200, GAD dt. 26-3-2007 and also Finance Memo. dated 30-4-2007 and he finally requested to exonerate him from the charge framed against him and set aside the punishment awarded by the DTA, Hyderabad in the light of G.O.Ms.No.200, GA Dept. dt. 26-3-2007 and Finance Memo.dt. 30-4-2007 and also in precedent cases. The individual has also furnished the Xerox copy of the Telephone bills payment register in proof of the payment of Telephone bills.

6. Government after careful examination of the material and the representation of the Charged Officer, the Enquiry report, Review petition, observe that the reasons given by the Charged Officer for possessing the excess amount of Rs.2,110/- than the declared amount of Rs.200/- have an element of genuinity. Further, the instructions for maintenance of the PCDR and declaration of the personal cash has been dispensed with vide G.O.Ms.No.200, G.A. (Ser.C) Dept., dt. 26-3-2007. Therefore Government hereby decided to drop the charges framed against Sri D. Sudhakar Rao, Sr. Accountant, Sub-Treasury, Narsapur vide RJD-III, Hyderabad Memo. No. B2/4001/2003-3, dated 18-11-2003 during the Surprise check on 31-3-2003.

7. The Director of Treasuries & Accounts, Hyderabad is requested to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S. RAWAT
SECRETARY TO GOVERNMENT (FP)

To
Sri D. Sudhakar, Sr. Accountant,
Dist. Treasury, Medak,
Sangareddy.
(through the DTA, Hyd.)
Copy to: The DTA, A.P., Hyd.
The A.P. Vigilance Commission

// Forwarded :: By Order //

SECTION OFFICER